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11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA  
13 SACRAMENTO DIVISION  
14

15  
16 MOSES LEON WALTON, ) CIVIL NO. 2:23-cv-01564-DMC  
17 Plaintiff, )  
v. ) **STIPULATION TO VOLUNTARY**  
18 MARTIN O'MALLEY, ) **REMAND PURSUANT TO SENTENCE**  
19 Commissioner of Social Security, ) **FOUR OF 42 U.S.C. § 405(g) AND TO**  
20 Defendant. ) **ENTRY OF JUDGMENT; ORDER**  
21

22 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
23 attorneys, and with the approval of the Court, that this action be remanded for further  
24 administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.  
25 § 405(g), sentence four. On remand, the Appeals Council will remand the case to an  
26 administrative law judge (ALJ) for a new decision. The parties further request that the Court  
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28

1 direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against  
2 Defendant, reversing the final decision of the Commissioner.

3 Respectfully submitted,

4  
5 DATE: January 24, 2024

/s/ Jonathan O. Peña\*

JONATHAN O. PEÑA

Attorney for Plaintiff

\*Authorized via e-mail on January 24, 2024

8 PHILLIP A. TALBERT

United States Attorney

10 MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

12  
13 DATE: January 24, 2024

By: /s/ Justin L. Martin

JUSTIN L. MARTIN

Special Assistant United States Attorney

Office of Program Litigation, Office 7

16 Attorneys for Defendant

17 **ORDER**

18 Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42  
19 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the  
20 above-captioned action is remanded to the Commissioner of Social Security for further  
21 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),  
22 sentence four. On remand, the Appeals Council will remand the case to an administrative law  
23 judge for a new decision in accordance with the parties' Stipulation.

24  
25 Dated: January 25, 2024



DENNIS M. COTA

UNITED STATES MAGISTRATE JUDGE